

REMARKS

The office action of January 6, 2009, has been carefully considered.

It is noted that claims 1-15 are rejected under 35 U.S.C. 112, second paragraph.

Claims 1-15 are rejected under 35 U.S.C. 102(b) over the patent publication of Hohnen.

In view of the Examiner's rejections of the claims, applicant has canceled claims 3, 4, 14 and 15, and amended claims 1, 2, 9, 10 and 12.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claims 1-15 under 35 U.S.C. 112, second

paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references and particularly to the patent application of Hohnen et al., it can be seen that this reference discloses a method and device for the *in situ* disposal of incontinence articles. In Hohnen et al., the comminuted articles are removed from the drum via an outlet opening in the bottom of the drum housing and via a funnel-shaped nozzle. A control for the closing doors of the outlet opening is also provided. A compressing screw is provided at a right angle to the exiting direction from the drum housing and also provides a conveying function in the direction of a collecting container. This compressing screw has no specific provision for water removed due to the compression.

To aid the Examiner in understanding the difference between the presently claimed invention and the cited reference, applicant has attached a copy of Fig. 2 of the present application in which the new features are high-lighted in yellow. In the presently

claimed invention, the discharge device (165) is integrated into the bottom area of the container body (20) and extends in the longitudinal direction of the container. The discharge device (165) is configured as a discharge duct (65) with an incline in a discharge direction for the comminuted waste. The discharge duct is followed by a housing (61) containing a compressor screw (60) which forms a functional unit with a shear sieve sheet (70) placed in the inner space (62) of the housing (61) of the compressor screw (60). The shear sieve sheet extends in the longitudinal direction of the compressor screw for separating the comminuted sanitary waste containing solid components from the wash liquid (WF) with the constituents of the sanitary waste dissolved therein in such a manner that the compressor screw (60) and the shear sieve sheet (70) cooperate in the manner of scissors. The shear sieve sheet (70) consists of a curved plate-shaped sieve body (70') with a partially circular arch, the radius of which corresponds to the outer radius of the compressor screw (60) in order to avoid a plugging of the shear sieve sheet (70). A compressor nozzle (100) with an upwards tapered section (100a) for separating the residual liquid is configured in the upper area (61b) of the housing (61) with the compressor screw (60). The nozzle is connected to a further discharge duct (85) by a connecting line with a discharge pipe (80) for the liquid

from the housing (61) so that the wash liquid (WF) with the constituents of the sanitary waste which are dissolved therein is fed to the further discharge duct (85) over the discharge pipe (80) by means of a pump (81) and whereby the rest of the comminuted sanitary waste freed from liquid and containing solid constituents is fed with the compressor screw (60) to a collecting receiver (95). The reference of Hohnen et al. does not disclose a construction having the features mentioned above, specifically, the discharge duct, the compressor screw, the compressor nozzle and the discharge pipe for liquid from the screw housing.

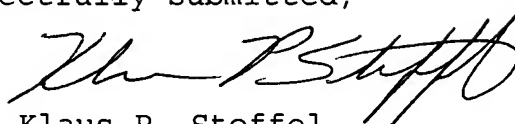
In view of these considerations it is respectfully submitted that the rejection of claims 1-15 under 35 U.S.C. 102(b) over the above-discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

By



Klaus P. Stoffel

Reg. No. 31,668

For: Friedrich Kueffner

Reg. No. 29,482

317 Madison Avenue, Suite 910

New York, New York 10017

(212) 986-3114

Dated: July 6, 2009

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on July 6, 2009.

By:


Klaus P. Stoffel

Date: July 6, 2009